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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CARLOS IVAN CAMPANA and JESUS
ADRIAN PENA-GAMEZ,

Defendants.

CASE NO. 1:21-CR-00107-DAD-BAM

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: September 22, 2021
TIME: 1:00 p.m.
COURT: Hon. Barbara A. McAuliffe

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendants, by and through defendants' counsel of record, hereby stipulate as follows:

1. By previous order, this matter was scheduled for a status conference on September 22, 2021.
2. By this stipulation, the parties move to continue the status conference until December 8, 2021, or the Court's earliest convenience, and to exclude time from calculation under the Speedy Trial Act between September 22, 2021, and December 8, 2021.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) Initial discovery was transmitted to defendants on May 3, 2021. This discovery consisted of 329 Bates-numbered items, including numerous audio and video recordings and reports of investigation. The initial discovery was transmitted under cover letter inviting defense counsel

1 to contact the government in the event they wished to inspect any physical evidence seized
2 during the investigation of the case.

3 b) On June 25, 2021, the government transmitted supplemental discovery to the defendants,
4 consisting of Spanish-to-English transcriptions of recorded telephone calls previously produced.

5 c) Counsel for defendants desire additional time to review discovery, consult with their
6 clients, conduct investigation and research related to the charges, and to otherwise prepare for
7 trial.

8 d) Counsel for defendants believe that failure to grant the above-requested continuance
9 would deny them the reasonable time necessary for effective preparation, taking into account the
10 exercise of due diligence.

11 e) Based on the above-stated findings, the ends of justice served by continuing the case as
12 requested outweigh the interest of the public and the defendants in a trial within the original date
13 prescribed by the Speedy Trial Act.

14 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq.,
15 within which trial must commence, the time period of September 22, 2021 to December 8, 2021,
16 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv), because it results
17 from a continuance granted by the Court at defendants' request on the basis of the Court's
18 finding that the ends of justice served by taking such action outweigh the best interest of the
19 public and the defendants in a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act provide that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: September 14, 2021

PHILLIP A. TALBERT
Acting United States Attorney

By: /s/ CHRISTOPHER D. BAKER
CHRISTOPHER D. BAKER
Assistant United States Attorney

/s/ DAVID A. TORRES
DAVID A. TORRES
Counsel for defendant Carlos Ivan Campana

/s/ REED GRANTHAM
REED GRANTHAM
Counsel for defendant Jesus Adrian Pena-Gamez

ORDER

IT IS SO ORDERED that the status conference is continued from September 22, 2021, to **December 8, 2021, at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe**. Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).

IT IS SO ORDERED.

Dated: September 15, 2021

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE